

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16526 of 1717 Massachusetts Avenue Associates, on behalf of the Johns Hopkins University, pursuant to 11 DCMR 3104.1, for the conversion of an office building under Section 507, to classrooms and office space to be used by the University in a DC/SP-2 District at premises 1717 Massachusetts Avenue, N.W. (Square 157, Lot 850).

HEARING DATE: January 5, 2000
DECISION DATE: January 5, 2000 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2B, and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 2B. ANC 2B, which is automatically a party to this application, filed a written statement in support of the application.

As directed by 11 DCMR 3119.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception under 11 DCMR 507. No person or entity appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3104.1, that the requested relief will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. It is therefore **ORDERED** that the application be **GRANTED, SUBJECT** to the following **CONDITIONS**:

- (1) The programs offered are primarily evening and weekend graduate courses, not day courses;
- (2) The use of the eighty-three underground parking spaces at 1717 Massachusetts Avenue will be available for student and faculty use in addition to parking provided for by contract arrangements for off-street parking with local garages; and
- (3) A plan will be developed whereby the University will make available meeting space for community and neighborhood groups in the 1717 Massachusetts Avenue building.

Pursuant to 11 DCMR3101.6, the Board has determined to waive the requirement of 11 DCMR 3125.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 3-0-1 (Robert Sockwell, Jerry Gilreath, Anthony Hood to approve; Sheila Cross Reid, not present, not voting.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Attested by:


JERRILY R. KRESS, FAIA
Director

Final Date of Order: JAN 18 2000

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO 3125.6."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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BZA APPLICATION NO.: 16526

As Director of the Office of Zoning, I certify and attest that on JAN 18 2000 a copy of the order entered on that date in this matter was mailed first class, postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Wayne S. Quin, Esquire
Wilkes, Artis Hedrick & Lane
1666 K Street, N.W.
Washington, D.C. 20006

Kyle Pitsor, Chairperson
Advisory Neighborhood Commission 2B
P.O. Box 33224
Washington, D.C. 20033

Attested by: *Jerrily R. Kress*
JERRILY R. KRESS, FAIA
Director

Date: JAN 18 2000

Attest/16526/1-12-00/poh